IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

WP(C).No. 8399 of 2007(Y)

PETITIONER:

K.OOMMACHAN, S/O.LATE IDICHANDI
KOCHUKUNJU, AGED YEARS, RESIDING AT
KAYALAVARATHU PUTHENVEEDU, PANAYAM P.O.,
PERINAD, KOLLAM.

BY ADV. SRI.C.UNNIKRISHNAN (KOLLAM)
SRI.S.HARIKRISHNAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT OF KERALA,
DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

3. THE ASSISTANT EDUCATIONAL OFFICER,
KOLLAM.

4. SHRI.K.ALEXANDER,
KAYALAVARATHU VEEDU, INCHAVILA P.O.,
PERINAD, KOLLAM.

5. SRI.K.J.ABRAHAM,
KRIPA BHAVAN, PANAYAM P.O.,
PERINAD, KOLLAM.

BY GOVT. PLEADER SRI. A.J. VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 8399 OF 2007 Y

Dated this the 13th March, 2007

JUDGMENT

Petitioner is aggrieved by Ext.P2 order by which approval is granted for change of management by third respondent, AEO. Against the same, petitioner has preferred Ext.P3 Appeal before second respondent, DPI. Therein, he has also sought for interim stay of Ext.P2 order. He seeks to quash Ext.P2.

2. In view of the fact that the petitioner has already invoked the alternate remedy, I relegate the petitioner to the alternate Forum. Accordingly, the Writ Petition is disposed of directing second respondent to consider and pass appropriate orders on Ext.P3 in accordance with law, after affording an opportunity of hearing to the petitioner and all other affected parties, within a period of ten weeks from the date of receipt of a copy of this Judgment, provided the petitioner has preferred Ext.P3 in time. In the meantime, as the petitioner has moved for interim orders as evident from Ext.P3, there will be a further

direction to the second respondent to pass appropriate orders in accordance with law on the application for interim relief, within a period of five days from the date of receipt of a copy of this Judgment.

K. M. JOSEPH, JUDGE

kbk.